

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 23, 2006**

DIVISION ONE

B177590 People (Not for Publication)

V.  
Christopher L. Simmons

The judgment is reversed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION TWO

B180041      Shafron &amp; Kammer, LLP

V.  
Krane & Smith

Filed order denying petition for rehearing.

### DIVISION THREE

B181121 People (Not for Publication)

V.  
Manual Armando Arzate

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

DIVISION THREE (Continued)

B178583      Jehan Zeb Mir  
                 v.  
                 Iunigerich & Spachman, et al.

Filed order modifying opinion. Petition for rehearing is denied.  
(Change in judgment)

DIVISION FIVE

B182811      S & S Investments                      (Not for Publication)  
                 v.  
                 Robert Rabinowitz

The appeal from the orders dated November 23, 2003, January 22, 2004, and December 23, 2004, is dismissed. The January 18, 2005 judgment of dismissal as to the remainder of the case against Robert Rabinowitz is affirmed. The parties are to bear their own costs on appeal.

Kriegler, J.

We concur:    Armstrong, Acting P.J.  
                 Mosk, J.

B180315      People                                      (Not for Publication)  
                 v.  
                 Jesse Delgado

The judgment is affirmed.

Armstrong, J.

We concur:    Turner, P.J.  
                 Kriegler, J.

DIVISION FIVE (Continued)

B179398      Embourky Corp., et al.,      (Not for Publication)  
B181297      v.  
Joan Joseph et al.

The portion of the judgment against Victoria Ruocco and Barbara Joseph that denied damages for breach of the shareholders' agreement is reversed with directions for a new trial on the issue of damages for breach of the shareholders' agreement as described above. In all other respects, the judgment is affirmed. The postjudgment order denying attorney fees to Victoria Ruocco and Barbara Joseph on the cross-complaint is reversed and remanded as directed above. Victoria Ruocco and Barbara Joseph are awarded their costs on appeal.

Kriegler, J.

We concur:    Turner, P.J.  
                  Armstrong, J.

B179324      Three JW Partnership      (Not for Publication)  
                  v.  
Allen Weiss

The judgment is affirmed. Three JW to recover costs on appeal.

Armstrong, Acting P.J.

I concur:      Kriegler, J.  
I dissent:      Mosk, J. (Opinion)

DIVISION SIX

B181325      MTDS, INC.,                      (Not for Publication)  
                 v.  
                 Cooney-Ames,  
                 County of Santa Barbara

The appeal is dismissed. Costs to respondents.

Perren, J.

We concur:   Gilbert, P.J.  
                 Yegan, J.

B175473      People                                      (Not for Publication)  
                 v.  
                 Thomas

The case is remanded to the trial court with instructions to vacate its order directing Thomas to pay \$9,600 in attorney fees, and to conduct further proceedings, if requested, in accordance with the requirements of section 987.8. Otherwise, the judgment is affirmed.

Perren, J.

We concur:   Yegan, Acting P.J.  
                 Coffee, J.

DIVISION SEVEN

B180284      Los Angeles County, D.C.S.                      (Not for Publication)  
                 v.  
                 Bertha M. et al.,

The judgment is affirmed.

Zelon, J.

We concur:   Johnson, Acting P.J.  
                 Woods, J.

## DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Perluss, P.J.

We concur:   Johnson, J.  
                      Woods, J.

## DIVISION EIGHT

B180234 Jerry Butler (Not for Publication)  
v.  
Childrens Hospital Los Angeles et al.,

The judgment is affirmed as to all the respondents, with the exception of respondent Valerie Yardley. The judgment as to Yardley is vacated. The parties are to bear their own costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.  
Boland, J.